

REMARKS

Claims 1-12 are pending in the application. It is gratefully acknowledged that Claims 6 and 8 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Specification was objected to because of informalities. Claims 1 and 3 were objected to because of informalities. Claims 10-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1-3, 5, 9 and 10-12 were rejected under 35 U.S.C. §102(e) as being anticipated by Lee et al. (U.S. Patent 6,289,486). Claims 4 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. in view of Li et al. (U.S. Patent 6,543,013).

The Specification was objected to because the word “rectangular” was improperly hyphenated on page 2, lines 10-11. The first full paragraph on page 2 has been amended above to correct this incorrect hyphenation. Based on at least the foregoing, withdrawal of the objection to the Specification is respectfully requested.

Claims 1 and 3 were objected to because of informalities. Regarding Claim 1, Claim 1 has been amended by changing “an UMTS” to read “a Universal Mobile Telecommunications System (UMTS)” as suggested by the Examiner. Based on at least the foregoing, withdrawal of the objection of Claim 1 is respectfully requested.

Regarding the rejection of Claim 3, it is respectfully submitted that the claim is properly written, but is being misread. Claim 3 recites in part “wherein the register updates and registers parameters used to calculate inter-row/intra-row permutation pattern of the input data to be interleaved, and provides...” The register performs three functions in this clause, i.e. updates, registers and provides. Based on at least the foregoing, withdrawal of the objection of Claim 3 is respectfully requested.

Claims 10-12 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner states that “inter-row permutation pattern a(j)” in claim 10 should read “intra-row permutation pattern a(j)”. Claim 10 has been amended to reflect this suggested change. Based on at least the foregoing, withdrawal of the rejection of Claim 10 is respectfully requested.

Claims 1-3, 5, 9 and 10-12 were rejected under 35 U.S.C. §102(e) as being anticipated by Lee et al. (U.S. Patent 6,289,486). Lee et al. discloses an adaptive channel encoding method and

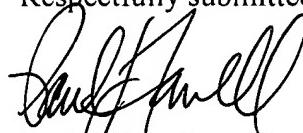
device. Lee et al. does not disclose an inter-row permutation pattern, intra-row permutation pattern, an increment arrangement value, and an intra-row permutation basic sequence as recited in Claims 1 and 10 of the present invention. To anticipate a claim a reference must teach every element of the subject claim. As Lee et al. does not teach at least the above elements, the rejections must be withdrawn. Based on at least the foregoing, withdrawal of the rejections of Claims 1 and 10 is respectfully requested.

Claims 4 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. in view of Li et al. (U.S. Patent 6,543,013). As both the claims of the present application and subject matter of Lee et al. were, at the time the present invention was made, subject to an obligation of assignment to the same person, Lee et al. is disqualified as prior art under 35 U.S.C. §103(c). Li et al. does not cure the deficiencies created by the disqualification of Lee et al. Based on at least the foregoing, withdrawal of the rejections of Claims 4 and 7 is respectfully requested.

Independent Claims 1 and 10 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-9, 11 and 12, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-9, 11 and 12 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-12, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516
PJF/MJM/dr